

AFFIDAVIT

(To be completed by the appropriate prison official)

FILED
SCRANTON

FEB - 8 2001

CIVIL ACTION NO. 1:00-cv-02186

7
2/14/01
TS
Kane
S.I, Diane Kerstetter being duly sworn, depose and say:

- (1) I am employed as Account Assistant at ACJ - Coal Twp.
I have served in that capacity since Aug. 25th, 1996.
- (2) The plaintiff, Charles Isley, Reg. No. AM 9320,
is presently incarcerated at the said institution.
- (3) The following is a listing of assets at the said institution
belonging to plaintiff:

a. Prison account

1. Present balance: \$ 35.20
2. Total amount of deposits
during six months preceding
the filing of the complaint: \$ 260.80
3. Average monthly balance: \$ 34.97
4. Average monthly deposits: \$ 43.47

b. Employment

1. Institutional employment: \$ - 0 -
2. Average monthly wage: \$ - 0 -

c. Other resources: N/A

- (4) I have attached a true and correct copy of the record of the
transactions of the prisoner's account which occurred within the
six months preceding the filing of the complaint.
- (5) The above information set forth in this affidavit is true and
correct to the best of my knowledge, information and belief.

NOTARIAL SEAL
GRACE N. PULTYNOVICH, NOTARY PUBLIC
COAL TWP. NORTHUMBERLAND CO. PA.
MY COMMISSION EXPIRES FEB. 17, 2001

Signature Diane KerstetterSworn to and subscribed
before me this 5th dayof Feb, 2000.

Grace Pultynovich
Notary Public
My Commission Expires:

Return to:

United States District Court
235 N. Washington Avenue
P.O. Box 1148
Scranton, PA 18501-1148

PA DEPT. OF CORRECTIONS
BUREAU OF COMPUTER SERVICES
REMOTE PRINT TIME 13:51

INMATE ACCOUNTS SYSTEM
PARTIAL ACCOUNT LISTING
FROM ACTIVE FILE

RUN IAS365
DATE 2/05/2001
PAGE 4

INMATE NAME
NUMBER LAST
AM9320 ISLEY

FIRST MI
CHARLES W

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
2191	01-24-2001 37	POSTAGE		
		POSTAL CHARGES @ COAL	-.55	52.49
2191	01-24-2001 37	POSTAGE		
		POSTAL CHARGES @ COAL	-.55	51.94
2191	01-24-2001 37	POSTAGE		
		POSTAL CHARGES @ COAL	-.76	51.18
2191	01-24-2001 37	POSTAGE		
		POSTAL CHARGES @ COAL	-.55	50.63
2191	01-24-2001 37	POSTAGE		
		POSTAL CHARGES @ COAL	-.76	49.87
8030	01-30-2001 32	COA COMMISSARY FOR 1/30/2001	-12.73	37.14
2250	02-01-2001 37	POSTAGE		
		POSTAGE CHARGES @ COAL	-.97	36.17
2250	02-01-2001 37	POSTAGE		
		POSTAGE CHARGES @ COAL	-.97	35.20
BALANCE AFTER THESE TRANSACTIONS----->				35.20

THIS IS A CERTIFIED AND TRUE COPY.

Diane Kersetter

Accounting Assistant I

PA DEPT. OF CORRECTIONS
BUREAU OF COMPUTER SERVICES
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INMATE ACCOUNTS SYSTEM
PARTIAL ACCOUNT LISTING
FROM ACTIVE FILE

RUN IAS365
DATE 2/05/2001
PAGE 3

INMATE NAME
NUMBER LAST
AM9320 ISLEY

FIRST MI
CHARLES W

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
1995	12-26-2000 37	POSTAGE		
		POSTAGE COAL TOWNSHIP	-1.65	40.61
1995	12-26-2000 37	POSTAGE		
		POSTAGE COAL TOWNSHIP	-2.97	37.64
1995	12-26-2000 37	POSTAGE		
		POSTAGE COAL TOWNSHIP	-.77	36.87
1995	12-26-2000 37	POSTAGE		
		POSTAGE COAL TOWNSHIP	-.99	35.88
1995	12-26-2000 37	POSTAGE		
		POSTAGE COAL TOWNSHIP	-.99	34.89
8362	12-27-2000 32	COA COMMISSARY FOR 12/27/2000	-1.31	33.58
8002	01-02-2001 32	COA COMMISSARY FOR 1/02/2001	-1.91	31.67
2054	01-04-2001 38	INSIDE PURCHASES LIBRARY COPIES COAL TWP	-7.40	24.27
2055	01-04-2001 37	POSTAGE COAL TWP	-.55	23.72
2055	01-04-2001 37	POSTAGE COAL TWP	-.55	23.17
2055	01-04-2001 37	POSTAGE COAL TWP	-.55	22.62
2055	01-04-2001 37	POSTAGE COAL TWP	-.99	21.63
2055	01-04-2001 37	POSTAGE COAL TWP	-.99	20.64
8009	01-09-2001 32	COA COMMISSARY FOR 1/09/2001	-17.01	3.63
2083	01-10-2001 37	POSTAGE		
		POSTAGE CHARGES @ COAL	-.97	2.66
2083	01-10-2001 37	POSTAGE		
		POSTAGE CHARGES @ COAL	-1.18	1.48
2092	01-11-2001 13	PERSONAL GIFT FROM ISLEY, ISARLITA #B836980	100.00	101.48
8016	01-16-2001 32	COA COMMISSARY FOR 1/16/2001	-20.88	80.60
8023	01-23-2001 32	COA COMMISSARY FOR 1/23/2001	-16.73	63.87
2187	01-24-2001 38	INSIDE PURCHASES COPIES CHARGES @ COAL	-7.00	56.87
2191	01-24-2001 37	POSTAGE		
		POSTAL CHARGES @ COAL	-2.02	54.85
2191	01-24-2001 37	POSTAGE		
		POSTAL CHARGES @ COAL	-1.81	53.04

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PAGE 2

INMATE NAME
NUMBER LAST
AM9320 ISLEY

FIRST MI
CHARLES W

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
1902	12-13-2000 38	INSIDE PURCHASES		
		LIBRARY COPIES COAL TWP	-2.50	55.06
1902	12-13-2000 38	INSIDE PURCHASES		
		LIBRARY COPIES COAL TWP	-.50	54.56
1902	12-13-2000 38	INSIDE PURCHASES		
		LIBRARY COPIES COAL TWP	-5.60	48.96
1902	12-13-2000 38	INSIDE PURCHASES		
		LIBRARY COPIES COAL TWP	-1.00	47.96
1902	12-13-2000 38	INSIDE PURCHASES		
		LIBRARY COPIES COAL TWP	-1.40	46.56
8348	12-13-2000 32	COA COMMISSARY		
		FOR 12/14/2000	-10.38	36.18
1905	12-14-2000 13	PERSONAL GIFT FROM		
		ISLEY, I. B590325	50.00✓	86.18
1914	12-14-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.55	85.63
1914	12-14-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.77	84.86
1914	12-14-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.77	84.09
1914	12-14-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.77	83.32
1914	12-14-2000 37	POSTAGE		
		POSTAGE COAL TWP	-1.65	81.67
1914	12-14-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.77	80.90
1914	12-14-2000 37	POSTAGE		
		POSTAGE COAL TWP	-1.21	79.69
1934	12-15-2000 37	POSTAGE		
		POSTAGE COAL TWP	-1.21	78.48
1934	12-15-2000 37	POSTAGE		
		POSTAGE COAL TWP	-1.43	77.05
1934	12-15-2000 37	POSTAGE		
		POSTAGE COAL TWP	-3.20	73.85
1947	12-18-2000 38	INSIDE PURCHASES		
		COPIES CHARGES @ COAL TWP.	-10.80	63.05
8354	12-19-2000 32	COA COMMISSARY		
		FOR 12/19/2000	-5.83	57.22
1986	12-22-2000 38	INSIDE PURCHASES		
		COPIES	-13.20	44.02
1995	12-26-2000 37	POSTAGE		
		POSTAGE COAL TOWNSHIP	-.77	43.25
1995	12-26-2000 37	POSTAGE		
		POSTAGE COAL TOWNSHIP	-.99	42.26

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INMATE		NAME				STARTING BALANCE	
NUMBER	LAST	FIRST	MI				
AM9320	ISLEY	CHARLES	W			47.25	
BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION		TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION		
8287	10-13-2000	32	GRA COMMISSARY FOR 10/13/2000	-4.98	42.27		
6768	10-18-2000	37	POSTAGE	- .99	41.28		
6847	10-25-2000	36	PRINTED MATERIALS NEWS PAPERS NOV. L	-5.64	35.64		
8301	10-27-2000	32	GRA COMMISSARY FOR 10/27/2000	-.70	34.94		
0	11-03-2000	82	TRANSFER OUT GRATERFORD				
0	11-03-2000	81	TRANSFER IN COAL TWP				
8312	11-07-2000	32	COA COMMISSARY FOR 11/07/2000	-10.25	24.69		
1654	11-14-2000	13	PERSONAL GIFT FROM ISLEY, I. E913538	20.00 ✓	44.69		
0	11-14-2000	82	TRANSFER OUT COAL TWP				
0	11-14-2000	81	TRANSFER IN GRATERFORD				
7027	11-14-2000	37	POSTAGE	-12.35	32.34		
0	11-14-2000	82	TRANSFER OUT GRATERFORD				
0	11-14-2000	81	TRANSFER IN COAL TWP				
8319	11-14-2000	32	COA COMMISSARY FOR 11/14/2000	-9.30	23.04		
8326	11-21-2000	32	COA COMMISSARY FOR 11/21/2000	-10.78	12.26		
1747	11-22-2000	13	PERSONAL GIFT FROM ISLEY, C. E924659	20.00 ✓	32.26		
8333	11-28-2000	32	COA COMMISSARY FOR 11/28/2000	-10.30	21.96		
1760	11-29-2000	37	POSTAGE				
			POSTAGE COAL TWP	-.77	21.19		
1804	12-05-2000	13	PERSONAL GIFT FROM ISLEY, I. E669946	40.00 ✓	61.19		
8340	12-05-2000	32	COA COMMISSARY FOR 12/05/2000	-2.65	58.54		
8340	12-05-2000	86	COA COMMISSARY CR				
		32	FOR 12/05/2000	1.33	59.87		
1832	12-07-2000	37	POSTAGE				
			POSTAGE COAL TWP	-2.31	57.56		

PA DEPT. OF CORRECTIONS
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INMATE ACCOUNTS SYSTEM
PARTIAL ACCOUNT LISTING
FROM PURGE FILE

RUN IAS365
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INMATE NUMBER	NAME LAST	FIRST	MI
AM9320	ISLEY	CHARLES	W

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
6542	09-25-2000	13 PERSONAL GIFT FROM E092804 SR. ISELEY CHARLES	20.00 ✓	53.54
8273	09-29-2000	32 GRA COMMISSARY FOR 9/29/2000	-6.29	47.25
BALANCE AFTER THESE TRANSACTIONS----->				47.25

PA DEPT. OF CORRECTIONS
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INMATE ACCOUNTS SYSTEM
PARTIAL ACCOUNT LISTING
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INMATE NAME
NUMBER LAST
AM9320 ISLEY

FIRST
CHARLES

MI
W

STARTING BALANCE
162.33

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8185	07-03-2000 32	COA COMMISSARY FOR 7/03/2000	-68.60	93.73
8192	07-10-2000 32	COA COMMISSARY FOR 7/10/2000	-26.98	66.75
633	07-12-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.55	66.20
8199	07-17-2000 32	COA COMMISSARY FOR 7/17/2000	-36.69	29.51
691	07-18-2000 13	PERSONAL GIFT FROM ISLEY, CHARLES E677626	100.00	129.51
8206	07-24-2000 32	COA COMMISSARY FOR 7/24/2000	-43.72	85.79
734	07-25-2000 10	MAINTENANCE PAYROLL 6/16-7/15/00 GRP 3		
		COAL TWP	14.40	100.19
749	07-27-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.99	99.20
9007	07-27-2000 34	RADIO/TV		
		BASIC AND HBO	-24.00	75.20
8213	07-31-2000 32	COA COMMISSARY FOR 7/31/2000	-21.91	53.29
8220	08-07-2000 32	COA COMMISSARY FOR 8/07/2000	-17.54	35.75
946	08-15-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.55	35.20
946	08-15-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.55	34.65
8228	08-15-2000 32	COA COMMISSARY FOR 8/15/2000	-5.12	29.53
970	08-16-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.77	28.76
970	08-16-2000 37	POSTAGE		
		POSTAGE COAL TWP	-.77	27.99
1013	08-23-2000 10	MAINTENANCE PAYROLL 7/16-8/15/00 GRP 3		
		COAL TWP	10.80	38.79
0	08-23-2000 82	TRANSFER OUT		
		COAL TWP		
0	08-25-2000 81	TRANSFER IN		
		COAL TWP		
1025	08-25-2000 37	POSTAGE		
		U P S CHARGES COAL TWP	-5.25	33.54
0	08-25-2000 82	TRANSFER OUT		
		COAL TWP		
0	09-25-2000 81	TRANSFER IN		
		GRATERFORD		

AM 9320

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY,

Petitioner

v.

KATHLEEN ZWIERZYNA, ET AL.,

Respondents

CIVIL NO. 1:CV-00-2186

(Judge Kane)

FILED
HARRISBURG, PA

JAN 23 2001

ORDERBackgroundMARY E. D'ANDREA, CLERK
PER [Signature] DEPUTY CLERK

This is a petition for a writ of habeas corpus filed under 28 U.S.C. § 2254. The financial affidavit accompanying the prisoner's motion to proceed in forma pauperis indicates that he may not be required to pay the full statutory filing fee of \$5.00. Therefore, temporary approval to proceed in forma pauperis will be granted so the court may request from the warden or other appropriate official a summary of the transactions in the petitioner's account for the six (6) months preceding the filing of this petition.

The court may condition entitlement to proceed in forma pauperis upon payment of a partial filing fee after consideration of the income received within the six (6) month period preceding submission of the petition, the present balance in the prisoner's account, the average monthly balance in the prisoner's account and other factors as may be brought to the court's attention. Jones v. Zimmerman, 752 F.2d 76, 78-79 (3d Cir. 1985); Bullock v. Suomela, 710 F.2d 102, 103 (3d Cir. 1983). The partial filing fee to be submitted shall not in any circumstances exceed 15% of the income received by the prisoner within the

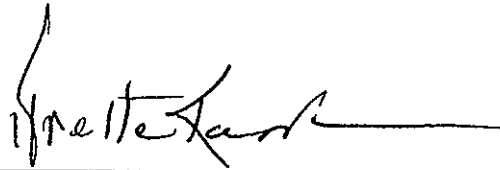
preceding six (6) months. See Evans v. Croom, 650 F.2d 521, 522, 525 (4th Cir. 1982, cert. denied, 454 U.S. 1153 (1982)).

The warden or other appropriate official will be directed to provide this court with a record of the transactions, inflow and outflow of funds through the prisoner's account, which occurred within the preceding six (6) month period and advise the court of the present balance in the prisoner's account. The court shall be advised whether the prisoner has institutional employment and, if so, his average monthly income from the job.

If the records are at another institution or if the records are for some reason unavailable, this court should be so informed.

NOW, THEREFORE, THIS 13 DAY OF JANUARY, 2001, IT IS ORDERED THAT:

1. The petitioner is granted temporary leave to proceed in forma pauperis, pursuant to Title 28 of the United States Code, § 1915(a).
2. Within ten (10) days of the date of this order, the warden or other appropriate official shall complete the attached affidavit form and provide the requested information to the court.
3. Pursuant to Jones v. Zimmerman, 752 F.2d 76 (3d Cir. 1985), the warden shall simultaneously provide a copy of the completed affidavit to the petitioner.



Yvette Kane
United States District Judge